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AF

P/4976-36

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Marie-Claire GROSJEAN-COURNOYER et al.

Date: July 28, 2011

Serial No.: 10/587,801

Group Art Unit: 1616

Filed: July 31, 2006

Examiner: Pak, J. D.

For: FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYLBENZAMIDE  
DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING THE  
ERGOSTEROL BIOSYNTHESIS

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**AMENDMENT AFTER FINAL REJECTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the Office Action of April 28, 2011, in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

No additional fee is required.

A Terminal Disclaimer to obviate a double patenting rejection is enclosed with this amendment. The required filing fee for this disclaimer in the amount of \$140 for a large entity was previously paid on January 10, 2011, and is therefore not submitted herewith.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed, or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

**Application Number 10/587,801**  
**AMENDMENT AFTER FINAL of July 28, 2011**  
**Response to Office Action of April 28, 2011**

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period has elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.